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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,305	04/02/2001	Umesh Mahajan	21710-67784	9391

28062	7590	12/01/2006	EXAMINER

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ART UNIT	PAPER NUMBER
3693	

DATE MAILED: 12/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="3">Office Action Summary</td><td>Application No.</td><td>Applicant(s)</td></tr>
<tr><td>09/824,305</td><td>MAHAJAN ET AL.</td></tr>
<tr><td>Examiner</td><td>Art Unit</td></tr>
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	Examiner	Art Unit	
	James Alpert	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>18 September 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>8-11,20-23 and 26-33</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>8-11,20-23 and 26-33</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

The following communication is in response to Applicant's amendment filed on

18 September 2006.

Status of Claims

Claims 11, 23 are original. Claims 8-10, 20-22 are currently amended. Claims 1-

7,12-19,24-25 are cancelled. Claims 26-33 are new, so therefore, Claims 8-11,20-

23,26-33 are currently pending.

Response to Arguments

Applicant's arguments filed 18 September 2006 have been fully considered. **As**

to the rejections filed under 35 U.S.C. §112(2), Applicants' cancellation of these

claims renders the rejections moot. **With regard to the rejections filed under 35**

U.S.C §102, Applicants' amendments and remarks are not persuasive, as discussed

below. Therefore, Claims 8-11,20-23,26-33 are rejected, and Applicants' request for

allowance is respectfully declined.

Claim Rejections - 35 USC § 102

The text of 35 U.S.C. §102, which is not included in this action, can be found in

the previous Office action. Claims 8-11,20-23,26-33 are rejected under 35

U.S.C. 102(e) as being anticipated by Buist, U.S. Patent #6408282.

With regard to Claims 20-21 and 8-9, Buist teaches the method and system

comprising:

displaying a presentation layer further comprising a workspace;
(Col. 3, lines 45-53)

supplying information to the interface and transferring information from the interface through at least one intermediate component lever;
(Figure 2, items 30,40 depicting intermediate level replica and intermediate servers)

supplying information to said intermediate component layer and transferring information from said intermediate component layer through at least one information source layer;
(Figure 2, items 40,50, depicting intermediate servers and root server and databases)

wherein said workspace further comprises at least one sub interface, which sub interface is selected from the group comprising an order entry interface, an order modification interface, an order monitoring interface, an instrument monitoring interface, and a market monitoring interface; (Figures 7,11,15,23 depicting the various interfaces along with process steps for using certain interfaces)

Applicants' sole point of contention in the remarks is that Buist does not read on the newly added limitations to the claims that describe, in Claims 8 and 9, respectively:

wherein said intermediate component layer is comprised of at least one intermediate component selected from a predetermined group of intermediate components, wherein said selection occurs at least in part based upon the sub interface or sub interfaces chosen.

and

wherein said information source layer is comprised of at least one information source selected from a predetermined group of information sources, wherein said selection occurs at least in part based upon the sub interface or sub interfaces chosen.

The Examiner must respectfully disagree with Applicants assessment of Buist. As Figure #2 depicts, the architecture of the network actually comprises three (3) layers of components below the interfaces, including replica servers, intermediate servers, and a root server. As with any network, item 50 represents the server which initiates and directs the chief administrative functions of the network. The next layer comprises intermediate servers which appear to be what applicant labels as information source components, ie, servers that can interact with other networks to obtain information and

engage in transactions. The final layer is replica servers which interact with user work stations to present the interfaces on a user's computer. See Column 8, lines 48-62 for more detail of the layered architecture.

Buist details that in general, the hierarchy of servers and information sources is flexible and is based on system load and the specific capabilities of computers selected as servers, as understood in the art. See Column 7, lines 7-12. Buist then provides details that load factor and other considerations known in the art effect which server (ie component) is used to furnish information to the interfaces to a broker/dealer and/or a direct user. See Column 9, lines 27-30. Finally, Buist details that the information needed to generate the various displays, which naturally comprise the interfaces with which the user interacts, are impacted by the server and information sources in use. See Column 9, lines 32-35.

Thus it is fairly clear that some consideration is given as to how the components and information sources are selected in routine operation of the network. The newly added amendments to the claims require that the selection of the information source or intermediate component be based on, at least in part, on which interface is chosen by a user. These limitations, however, comport with the teachings cited above, as now described. Initially, given that certain interfaces are likely to be accessed more often than others, the impact on the load of each server will be affected by user selections. Thus, the balancing system employed by Buist will adjust the choice of a replica server (intermediate components) to correspond to particular interface calls. With regard to the selection of information source, it is well known in the financial arts that certain

information is required for particular functions that are not required for others. For

example, interface seeking market information on a macro level clearly will require

different data than an interface seeking to modify an order of an individual security

already placed. Thus when Buist refers to "considerations known in the art", it is clear

that the type of information sought from the user will meet this standard. The examiner

is satisfied that the nature and breadth of the language of Applicants' claims do not

render Buist inapplicable, and so the rejections are maintained.

With regard to Claims 26-27,30-31, Buist teaches the method and system

wherein:

said sub interface further comprises a window.   (Figure 11)

With regard to Claims 10-11,28-29, Buist teaches the system wherein:

said workspace is user configurable (Figure 16) and

has a default configuration (Figures 5a,5b; Col. 18, lines 17-21a) .

With regard to Claims 22-23,32-33, Buist teaches the method comprising:

trading a financial instrument through said user interface (Figure 11) wherein

said trading financial instruments through said user interface further comprises trading
said instrument through aggregate pricing of said instrument.
(Col. 32, lines 58-62)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final

action is set to expire THREE MONTHS from the mailing date of this action. In the event

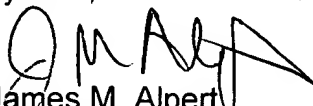a first reply is filed within TWO MONTHS of the mailing date of this final action and the

advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Alpert, whose telephone number is (571) 272-6738. The examiner can normally be reached on M-F 9:00-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000. Respectfully,

James M. Alpert
November 25, 2006

ELLA COLBERT
PRIMARY EXAMINER